

REMARKS

This Amendment is being filed in response to the Office Action mailed on February 15, 2008, which has been reviewed and carefully considered. Reconsideration and allowance of the present application in view of the amendments made above and the remarks to follow are respectfully requested.

By means of the present amendment, claims 1-9 have been amended for non-statutory reasons, such as for better form including beginning the dependent claims with 'The' instead of 'A', changing "characterized in that" to --wherein--, and deleting reference numerals typically used in European practice that are known to not limit the scope of the claims. Such amendments to claims 1-9 were not made in order to address issues of patentability and Applicant respectfully reserves all rights under the Doctrine of Equivalents.

In the Office Action, the Examiner objected to the Abstract for commencing on a separate sheet. In response, the current Abstract has been deleted and substituted with the enclosed New Abstract which commences on a separate sheet and better conforms to

U.S. practice. Accordingly, withdrawal of the objection to the Abstract is respectfully requested.

In the Office Action, the Examiner suggested adding headings to the specification. Applicant gratefully acknowledges the Examiner's suggestion, however respectfully decline to add the headings as they are not required in accordance with MPEP §608.01(a), and could be inappropriately used in interpreting the specification.

In the Office Action, claim 1 is rejected under 35 U.S.C. §112, second paragraph as allegedly indefinite. Without agreeing with the Examiner, and in the interest of advancing prosecution, claim 1 has been amended to remove the alleged informality noted by the Examiner. It is respectfully submitted that the rejection of claim 1 has been overcome and an indication as such is respectfully requested.

In the Office Action, claims 1-6 are rejected under 35 U.S.C. §102(b) as allegedly anticipated by DE 38 26 676 (Gabrecht). Claims 1-3 and 7-8 are rejected under 35 U.S.C. §102(e) as allegedly anticipated by U.S. Patent No. 7,014,341 (King). Further, claims 1-3 and 9 are rejected under 35 U.S.C. §102(b) as

allegedly anticipated by U.S. Patent No. 3,805,051 (Ramhauske). It is respectfully submitted that claims 1-14 are patentable over Gabrecht, King and Ramhauske for at least the following reasons.

Gabrecht discloses in FIGs 1-4 a luminaire where a side of a louver is connected to the luminaire.

Similarly, King discloses in FIG 11 a luminaire where the side of the louver is connected to the luminaire, such as via an annulus element 36 and an O-ring 30 which may be manually rolled over a cylindrical sleeve 40 as shown in FIG 8 and recited on column 7 lines 30-34.

Ramhauske is also similar to Gabrecht and King in that the sides of baffles are connected to the Ramhauske luminaire, as shown in FIG 1.

It is respectfully submitted Gabrecht, King and Ramhauske, alone or in combination, do not teach or suggest the present invention as recited in independent claim 1, and similarly recited in independent claim 10, amongst other patentable elements requires (illustrative emphasis provided):

connection means for connecting the louver with the luminaire, wherein said connection means are substantially located in an area of the luminaire

behind the louver, and wherein said connection means engage a back edge of the louver, the back edge facing the light source.

Connection means which are located in an area of the luminaire behind the louver and which engage the back edge of the louver facing the light source are nowhere disclosed or suggested in Gabrecht, King, Rambauske, and combinations thereof. Rather, Gabrecht, King and Rambauske disclose connecting the side of louvers to a luminaire.


Accordingly, it is respectfully requested that independent claims 1 and 10 be allowed. In addition, it is respectfully submitted that claims 2-9 and 11-14 should also be allowed at least based on their dependence from independent claims 1 and 10 as well as their individually patentable elements.

In addition, Applicants deny any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicants reserve the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of

the Examiner's statements are conceded.

In view of the above, it is respectfully submitted that the present application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

Respectfully submitted,

By 
Dicran Halajian, Reg. 39,703
Attorney for Applicant(s)
May 12, 2008

THORNE & HALAJIAN, LLP
Applied Technology Center
111 West Main Street
Bay Shore, NY 11706
Tel: (631) 665-5139
Fax: (631) 665-5101